



Canada Energy
Regulator

Régie de l'énergie
du Canada

2019-20 Annual Report of the Commission of the Canada Energy Regulator



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Note:

The 2019-20 Annual Report of the Commission of the Canada Energy Regulator is one of two Annual Report documents that summarize the Canada Energy Regulator’s achievements of the past year. To learn more about the work of the Canada Energy Regulator as a whole, please see the 2019-20 Annual Report of the Canada Energy Regulator.

Message from the Lead Commissioner

For over 60 years, energy regulation in Canada has evolved to meet the needs and expectations of Canadians. That progression took a step forward in August 2019 when the Canada Energy Regulator (CER) was established.

The CER is a new energy regulator with a new mandate. It works for Canadians to keep energy moving safely and efficiently through our country's pipelines, powerlines and future offshore renewable energy projects.

The organization is guided by the objectives of the *Canadian Energy Regulator Act* (CER Act) and is supported by its new governance model that delineates the adjudicative, corporate and operational functions of the CER. One of the highlights of this modern governance structure is the establishment of an independent Commission to adjudicate energy projects.

Commissioners have been tasked to be guardians of the public interest and of the integrity of the adjudicative process. As per our mandate defined in the CER Act, we see our roles focusing on transparent processes under which the best available scientific information and data as well as Indigenous knowledge are taken into account in our decision-making.

The CER Act's commitment to achieving reconciliation with First Nations, Metis and Inuit is of critical importance to the Commission. The Act focuses on using transparent processes which ensure that Indigenous knowledge is taken into account in decision-making. This commitment is reflected in the Commission's ongoing engagement with Elders and Knowledge Keepers in Oral Indigenous Knowledge sessions and elsewhere within the adjudicative process.

Additionally, Commissioners have made a considerable investment in learning about Indigenous Peoples and Indigenous law through their onboarding and continuous learning. Commissioners are committed to re-doubling their efforts in their journey to reconciliation by becoming better adjudicators delivering more inclusive and transparent reviews.



Commissioners have been tasked to be guardians of the public interest and of the integrity of the adjudicative process.

Enhancing Canada's global competitiveness is a core element of the CER Act. The Commission help deliver on this key component of the Act by building systems that enable our decisions to be made in a predictable and timely manner, providing certainty to investors and stakeholders.

During the CER's inaugural year, Commissioners adjudicated hearings on applications regarding pipelines and powerlines, tolls and tariffs, as well as a liquefied natural gas export licence. In keeping with Canadians' expectations for the Commission, those applications were considered using processes which were fair and accessible, while adhering to all of the requirements of natural justice.

In addition, Commissioners regulated condition compliance activities for existing energy infrastructure and financial resource requirements for companies. We also began preparations to regulate future offshore renewable energy projects – a new area of regulatory jurisdiction.

During its first year of existence, the Commission laid the foundation of how it intends to operate in the years ahead: forming a track record of adjudicative excellence, demonstrating consistency and innovation, providing the checks and balances needed for accountability, and creating a deliberative environment that allows for an exchange of ideas.

In closing, I want to acknowledge and thank the CER's staff who have served the Commission in the organization's inaugural year – a time of transition and challenge. I look forward to working with these dedicated public servants for many years to come.

During its first year of existence, the Commission laid the foundation of how it intends to operate in years ahead...

I would also like to express my appreciation to the Members of the National Energy Board for their years of service to the Canadian public. In particular, I would like to thank Members Philip Davies and Murray Lytle who, upon my request, agreed to continue their service to Canada while working on Commission Hearings in 2019-20.

On behalf of my colleagues, I respectfully submit to the Honourable Seamus O'Regan, Minister of Natural Resources, and provide to Canadians the 2019-20 Annual Report of the Commission of the Canada Energy Regulator.

The original version was signed by

Damien A. Côté, Lead Commissioner
Canada Energy Regulator

Role of the Commission

One of the attributes of the modern governance structure of the Canada Energy Regulator is the establishment of an independent Commission to adjudicate energy projects.

In 2019-20, the Canada Energy Regulator's Commission was comprised of six full-time Commissioners appointed by the Governor in Council, including the Lead Commissioner and Deputy Lead Commissioner. Commissioners have a broad range of experience and expertise. For more details on Commissioners, please refer to Appendix A-Commission Biographies.

The Commission makes regulatory decisions as set out in the CER Act and other legislation. In its adjudicative role, it ensures adherence to the purpose and provisions of the CER Act, recognizing and respecting Indigenous rights pursuant to s. 35 of the *Constitution Act, 1982*,¹ as well as the official languages of Canada pursuant to Part III of the *Official Languages Act*,² the rules of natural justice, a, jurisprudence and directions of general application on broad policy matters with respect to its mandate.

As is typical of a quasi-judicial tribunal, the Commission makes adjudicative decisions and recommendations independently. The Commission's independence is a key aspect of the CER Act. Pursuant to the Act, the Board of Directors of the CER is not permitted to give directions or provide advice with respect to any particular decision, order or recommendation of the Commission.

The Commission is part of the CER and, although its adjudicative role is independent, it contributes to the overall effective delivery of the CER's mandate and Departmental Results Framework, in particular the CER's Core Responsibilities of Energy Adjudication and Safety and Environment Oversight. The Commission ensures continuous improvement and effectiveness in the areas in which it works.

The Commission is a court of record. Among its responsibilities and authorities, it may adjudicate (including on its own initiative) on any matter where a person has done or failed to do anything required by the CER Act, and may also inquire into any accident involving a pipeline or other CER-regulated facility. The Commission has the power to make orders and prohibitions for the enforcement of its decisions.

The Commission may make rules for carrying out its work and managing its internal affairs vis-à-vis adjudication, including rules respecting the powers, duties and functions of Commissioners, its procedures and practices, its sittings and its decisions, orders and recommendations.



The commission makes regulatory decisions as set out in the CER Act and other legislation

1 Schedule B to the *Canada Act 1982*, 1982, c. 11 (U.K.).

2 R.S.C. 1985, c.31 (4th Supp.).

What We Achieved

The inaugural year of the Canada Energy Regulator was a time of transition for the organization and its Commission.

Reflecting back on the year, the most significant achievement of the Commission was its seamless transition to the CER. On day one of the CER, the new Commissioners took over all adjudicative matters from the former Members of the National Energy Board (NEB) and, after allowing an opportunity to get acquainted with the record on each matter, advanced all adjudicative processes within the original legislated timelines

While Commissioners arrived with considerable knowledge and adjudicative experience, they needed time to familiarize themselves with the new organization, its culture and its staff – all of whom were also adjusting to the new CER and its governance structure.

With support from CER staff, Commissioners participated in an onboarding program on areas relevant to the fulfillment of their broad range of adjudicative responsibilities under the CER Act, *National Energy Board Act*³ (NEB Act) and other relevant statutes. The onboarding program covered topics including financial regulation, environmental assessment, Indigenous and administrative law, lifecycle regulation, and a wide range of technical, scientific and engineering matters that underpin the CER's regulatory functions.

Additionally, all Commissioners achieved full compliance with the new and more robust conflict of interest provisions found in both the *Conflict of Interest Act*⁴ and the CER Act.

Over the course of the 2019-20 fiscal year, Commissioners adjudicated hundreds of applications for pipelines, powerlines, tolls and tariffs, export/import licences, financial resources assessments and compliance activities on existing energy infrastructure. These included existing applications that the CER inherited from the NEB and new applications received by the CER from applicants. In total, the Commission issued:

- 40 Infrastructure decisions;
- 14 Tolls and Tariffs decisions;
- 493 Export and Import decisions;
- 31 Exploration and Production decisions;
- 16 other decisions and
- 45 Leave to Open orders.

All pipeline companies are required to follow the *Canadian Energy Regulator Onshore Pipeline Regulations*,⁵ which include a systematic approach to pipeline management, including abandonment. The Commission reviews applications to abandon pipelines (s.241 of the CER Act) and also ensures that companies have sufficient funds to pay for the eventual abandonment of pipelines (s.242 of the CER Act).

In its first year of existence, Commissioners focused on supporting the successful transition of the organization and on forming a track record of adjudicative excellence...

3 R.S.C. 1985, c.N-7 (Repealed 2019, c.28, s.44)

4 S.C. 2006, c.9, s.2.

5 SOR/99-294.

Companies' management of financial resources includes the proactive management of their obligations relating to the set aside and collection of abandonment funds. The Commission reviews and assesses companies' abandonment cost estimates, which must be submitted every 5 years, and ensures that financial instruments are in place for those funds.

Canadians can be confident that the resources required to properly abandon pipelines are assessed and set aside for that purpose.

A comprehensive list of Commission regulatory activities is provided in the appendices section of this Report.

In its first year of existence, Commissioners focused on supporting the successful transition of the organization and on forming a track record of adjudicative excellence – stewarding every application through the appropriate review within the required timelines. It is also worth noting that in the course of this adjudicative work, every Commissioner chaired a panel.

The Commission also recognized that the momentum established during its first year would not have been possible without the support of the staff of the CER, and for that, it is most appreciative.

To learn more about work in 2019-20 of the Canada Energy Regulator as a whole, please see the 2019-20 Annual Report of the Canada Energy Regulator.



What the Future Holds

The past several years have seen the Canada Energy Regulator and its predecessor agency at the convergence of a number of new developments and external forces. As the CER moves forward, the *Canadian Energy Regulator Act* will continue to shape the future of the Commission.

The CER Act, along with the *Impact Assessment Act*,⁶ introduced new rules to regulate resource development and energy transmission project proposals in Canada. Its new ‘one project, one review’ approach allows integrated review panels for major projects that involve several federal regulators, making it possible to have just one assessment for each major project.

This new approach will clearly impact the future work of the Commission. The CER has already begun working with the Impact Assessment Agency of Canada on one of those new projects - the Gazoduq pipeline - a proposed natural gas pipeline that would flow from Ontario to Québec. It is possible that within the next reporting year, the Gazoduq proposed pipeline may become the first formal joint project application reviewed by the CER and the Impact Assessment Agency of Canada.

Another area of future work for the Commission relates to the establishment of the CER as the regulator of offshore renewable energy projects. Towards that end, the CER and the Commission will be building their capacity to regulate those facilities in the coming reporting year.

In the next year, the work of the Commission will be informed by the external environment in which it operates. Some of the issues that the Commission is alive to and will continue to monitor include: the volatility in current energy markets and its impact on the financial circumstances of CER regulated industries; the economic aftereffects of the COVID-19 pandemic; the continued progress towards reconciliation by Canada and Indigenous Peoples; and developments regarding Canada’s greenhouse gas commitments and obligations – to name only a few.

While external forces impacting the Commission and the CER will continue to shift, the Commission’s mandate moving forward will fundamentally remain the same - working for Canadians to keep energy moving safely and efficiently through our country’s pipelines and powerlines, both now and into the future.



6 S.C. 2019, c.28, s.1.

Summary of CER Commission Decisions and Recommendations⁷

Decisions and Recommendations Issued by the Commission in September 2019 to March 2020 include the following:

Note that REGDOCS files can be found on the CER website (www.cer-rec.gc.ca) by clicking in the top banner: “Applications and Filings” then “View Regulatory Documents”. Then enter the REGDOCS File number below “Search by Document Number”.

Infrastructure:

Vermilion Energy - Monchy Pipeline Abandonment

- Abandonments (NEBA Part V, s. 74(1)(d))⁸
- Abandonment of the 760 meter, 219 mm outside diameter, Monchy Pipeline and associated meter station in Saskatchewan
- No submissions from other parties were received during the written hearing process
 - Hearing Order number: MHW-009-2019
- The Commission released its decision and order in December 2019 which imposed 9 conditions
 - Order number: ZO-009-2019
 - REGDOCS File number: [\[C03471\]](#)
- CER Quorum for decision: Damien Côté, Kathy Penney, Trena Grimoldby, Stephania Luciuk, Mark Watton

⁷ To see a list of Decisions and Recommendation for Hearings Issued by the National Energy Board in April to August 2019 refer to Appendix B

⁸ Transitional provisions associated with the CER Act, s.36: Applications pending before the National Energy Board immediately before the commencement day are to be taken up before the Commission of the Regulator and continued in accordance with the *National Energy Board Act* as it read immediately before the commencement day

NGTL - 2018 NGTL Meter Stations and Laterals Abandonment Program

- Abandonments (NEBA Part V, s. 74(1)(d))
- Abandonment of various meter stations and lateral pipelines of various diameters and lengths within various locations of Alberta
- Submissions were received from two parties during the written hearing process
 - Hearing Order number: MHW-003-2019
- The Commission released its decision and order in December 2019 which imposed 11 conditions
 - Order number: ZO-008-2019
 - REGDOCS File number: [C03865](#)
- CER Panel of Commissioners: Damien Côté, Trena Grimoldby, Stephania Luciuk

NGTL 2021 System Expansion Project

- Large Pipeline Infrastructure (NEBA, Part III, s. 52)
- The Project consists of the construction of approximately 344 kilometres of pipeline loops in eight sections and three compressor station unit additions. The Project is located wholly in Alberta, near Grande Prairie and runs roughly south towards Calgary, mostly adjacent to existing rights of ways and facilities.
- 41 intervenors and 15 commenters participated in the hearing process, which included receiving oral Indigenous Knowledge on First Nation lands
 - Hearing Order number: GH-003-2018
- The Commission released its Recommendation Report to GiC in February 2020 which included 34 recommended certificate conditions and 6 recommendations, as well as 24 conditions for the associated NEB Act s.58 orders
 - REGDOCS File number: [C04761](#)
- CER Panel of Commissioners: Murray Lytle⁹, Damien Côté, Wilma Jacknife

Tolls and Tariffs:

Suncor, Shell, EPAC & CNRL - Complaint on Enbridge's Mainline Open Season

- Shipper complaint (NEBA, Part IV, s. 59)
- Complaints regarding Enbridge's Canadian Mainline open season for firm service, filed by Suncor Energy Inc., Shell Canada Limited, The Explorers and Producers Association of Canada, and Canadian Natural Resources Limited
- Submissions were received from 38 parties during an expedited comment process
- The Commission released its decision in September 2019
 - REGDOCS File number: [C01893](#)
- CER Quorum for decision: Damien Côté, Kathy Penney, Trena Grimoldby, Wilma Jacknife

NGTL Temporary Service Protocol

- Tariff Amendment (NEBA Part IV, s. 60(1)(b))
- NGTL applied for amendments to the Tariff for a Protocol that would apply to the 2019 and 2020 summer periods to manage system constraints during outage and maintenance periods
- Submissions were made by 32 parties during an expedited one-day hearing
 - Hearing Order number: RH-002-2019
- The Commission released its reasons for decision in November 2019
 - REGDOCS File number: [C02965](#)
- CER Panel of Commissioners: Damien Côté, Stephania Luciuk, Wilma Jacknife

⁹ Transitional provisions associated with the CER Act, s.14 (1)-A person referred to in subsection 12(1) or 13(1) may, at the request of the Lead Commissioner designated under 37 of the *Canadian Energy Regulator Act*, continue to hear and decide any matter that was before the person before the commencement day and the person is considered to be a commissioner for the purposes of that Act.

NGTL - Rate Design and Services Application

- Toll Methodology (NEBA, Part IV, s. 59)
- NGTL applied for a rate design methodology and terms and conditions of service for the NGTL system
- 44 Intervenors participated in the hearing process
 - Hearing Order number: RH-001-2019
- The Commission released its decision in March 2020
 - REGDOCS File number: [C05448](#)
- CER Panel of Commissioners: Phil Davies¹⁰, Damien Côté, Stephania Luciuk

Including the decisions and recommendations following hearings listed above, the Commission has issued:

- 40 Infrastructure decisions;
- 14 Tolls and Tariffs decisions;
- 493 Export and Import decisions;
- 31 Exploration and Production decisions and
- 16 Other decisions.

For a breakdown of these decisions, please see Appendix C.

Export and Import:

Chevron Long Term Export Licence

- Export or Import Licences (NEBA, Part VI, s. 117(1))
- Application for a 40-year licence to Export LNG
- Submissions were received from one party during the comment process
- The Commission released its decision in December 2019
 - REGDOCS File number: [C03430](#)
- Panel of Commissioners: Murray Lytle¹¹, Kathy Penney, Mark Watton

¹⁰ Ibid

¹¹ See footnote number 9

Appendix A: Commission Biographies



Damien A. Côté

Damien A. Côté served as a temporary Member of the National Energy Board (NEB) since October 2016 (reappointed in April 2019). He has a wealth of expertise related to Indigenous and regulatory law and more than seven years of senior executive leadership. Prior to joining the organization, he worked for the Department of Justice Canada and the Public Prosecution Service of Canada, both in Iqaluit (Nunavut). He then served as the Executive Director of the Nunavut Water Board in Gjoa Haven (Nunavut), and as Chief Operating Officer of the Inuvialuit Regional Corporation in Inuvik (Northwest Territories). Prior to his appointment as Lead Commissioner, he served briefly as a Member of the Immigration and Refugee Board of Canada. Mr. Côté holds a Juris Doctor and a Licentiate of Laws from the University of Ottawa, a Master of Arts (Economics) from the University of Toronto, as well as a Bachelor of Engineering (Environmental) and a Bachelor of Arts (Economics) from Carleton University.



Kathy Penney

Kathy Penney was a permanent member of the Canadian Nuclear Safety Commission until her appointment as a Commissioner. She has over 25 years of regulatory, environmental, health and safety (HSE) experience in the public and private sectors. Ms. Penney has expertise in environmental assessments, HSE assurance and compliance processes, quasi-judicial and federal government project hearings, community consultation, and engagement with Indigenous peoples. Her career includes roles with Jacques Whitford, in Newfoundland and Labrador and in Western Canada, and with Royal Dutch Shell, both in Canada and in Australia. Recently she was on the Assessment Review Board for the Rocky View County. She holds a Master of Science from the University of British Columbia and a Bachelor of Science from the University of Toronto. Ms. Penney is a Pearson College scholar and holds an Executive Management Certificate from Queen's University.



Stephania Luciuk

Stephania Luciuk has extensive experience in the energy sector on a broad range of matters, among them environmental, labour and employment, commercial and human rights issues, as well as engagement with Indigenous peoples. She has been in legal practice for over 20 years. In addition to her private practice experience, she served as in-house counsel for Canadian Oil Sands Limited and Imperial Oil Limited, where she oversaw a legal team that successfully completed the regulatory process for the Kearl Oil Sands project and negotiated with Indigenous peoples regarding the Mackenzie Gas project hearings. In 2017, Ms. Luciuk was appointed as an assistant professor at Mount Royal University. She also served part-time as a commissioner of the Appeals Commission for Alberta Workers' Compensation. Ms. Luciuk holds a Juris Doctor from York University and a Master of Laws in international environmental law from Dalhousie University.



Wilma Jacknife

Wilma Jacknife served as a temporary member of the National Energy Board until December, 2018. She has more than 20 years of experience in practicing law, both in private practice and as legal counsel for Cold Lake First Nation in Alberta. She specializes in First Nations governance and law-making, consultation and negotiation of impact benefits agreements, business development, administrative law and employment and estates law. Ms. Jacknife also has participated in joint task forces to develop legislative frameworks for First Nations in Canada (*Specific Claims Tribunal Act, Indian Oil and Gas Act* and regulations). Ms. Jacknife holds a Doctor of Juridical Science in Indigenous Peoples Law and Policy and a Master of Laws in Indigenous Peoples Law and Policy from the University of Arizona - College of Law and a Bachelor of Laws from the University of British Columbia and two Bachelor of Art degrees from the University of Alberta.



Trena L. Grimoldby

Trena Grimoldby has extensive experience in the energy and regulatory sectors, including administrative tribunal practice and procedure, regulatory law, environmental law, occupational health and safety, litigation, employment law, and privacy law, as well as engagement with Indigenous peoples. She most recently served as in-house counsel for PETRONAS Canada and Public Chairperson at the Insurance Councils Appeal Board of Alberta until her appointment as a Commissioner. Prior to that, she served as in-house counsel to Pembina Pipeline Corporation, Shell Canada Limited, and as Board Counsel at the Alberta Energy Regulator (then the Energy and Utilities Board and subsequently the Energy Resources Conservation Board). She holds a Juris Doctor and Bachelor of Laws from the University of Alberta and a Bachelor of Arts with a specialization in English from the University of Alberta.



Mark Watton

Mark Watton has extensive experience in regulatory law and public policy. He was first called to the bar in Ontario and practiced as a litigator in the Toronto office of Fasken Martineau DuMoulin. He relocated to Calgary to join the National Energy Board (NEB) where he was legal counsel for seven years, advising on multiple major project applications. Before his appointment as a Commissioner with the CER, he held the position of Senior Legal Counsel with TC Energy. He also worked in executive and policy advisory roles for numerous cabinet ministers in several federal government departments, and in the office of the Prime Minister. Mr. Watton holds an LL.B. from Dalhousie University and a Bachelor of Social Sciences (Political Science) from the University of Ottawa.

Appendix B: Summary of National Energy Board Decisions and Recommendations

Decisions and Recommendations Issued by the National Energy Board in April to August 2019 include the following:

Note that REGDOCS files can be found on the CER website (www.cer-rec.gc.ca) by clicking in the top banner: “Applications and Filings” then “View Regulatory Documents”. Then enter the REGDOCS File number below “Search by Document Number”.

Infrastructure:

Westcoast T-South Expansion and Reliability Project

- Small Pipeline Infrastructure (NEBA, Part III, s. 58)
- Construction of compressor station upgrades on the T-South pipeline in eight locations in British Columbia
- 16 intervenors and 3 commenters participated in the written hearing process, which included receiving oral Indigenous knowledge
 - Hearing Order number: GHW-002-2018
- The NEB made its decision and orders in August 2019, released in September 2019, which imposed 20 conditions on each order¹²
 - Order numbers: XG-021-2019, XG-022-2019, XG-023-2019, XG-024-2019
 - REGDOCS File number: [C01587](#)
- NEB Panel: Murray Lytle, Roland George, Damien Côté

AltaGas Holdings Inc. - Acadia Valley Pipeline and Acadia Valley Tie-ins Abandonment

- Abandonment (NEBA Part V, s. 74(1)(d))
- Abandonment of a 5.2 km, 114.3 mm outside diameter pipeline and a 2.5 km, 168.3 mm outside diameter pipeline in Saskatchewan and Alberta
- No submissions from other parties were received during the written hearing process
 - Hearing Order number: MHW-007-2019
- The NEB made its decision and order in August 2019, released in September 2019, which imposed 7 conditions¹³
 - Order number: ZO-A174-007-2019
 - REGDOCS File number: [C01494](#)
- NEB Panel: Shane Parrish

¹² Although the decision and orders were finalized by the panel of NEB Members on 22 August 2019 before coming into force of the *Canadian Energy Regulator Act*, the publication process was completed in September 2019.

¹³ Although the decision and orders were finalized by the panel of NEB Members on 26 August 2019 before coming into force of the *Canadian Energy Regulator Act*, the publication process was completed in September 2019.

NGTL - West Path Delivery Project

- Small Pipeline Infrastructure (NEBA, Part III, s. 58)
- Construction of a new 21.5 km natural gas pipeline, two compressor station unit additions, and related facilities in Alberta
- 22 intervenors and 8 commenters participated in the hearing process, which included receiving oral Indigenous knowledge
 - Hearing Order number: GH-002-2018
- The NEB released its decision and orders on 11 April 2019, which imposed a total of 28 conditions
 - Order numbers: XG-N081-005-2019, MO-006-2019
 - REGDOCS File number: [A98761](#)
- NEB Panel: Roland George, Ron Durelle, Phil Davies

ExxonMobil Sable Offshore Energy Project Abandonment

- Abandonment (NEBA Part V, s. 74(1)(d))
- Abandonment of an approximately 200 km, 660 mm outside diameter pipeline from an offshore natural gas development and the Goldboro gas plant in Nova Scotia.
- Seven intervenors and one commenter participated in the hearing process, which included receiving oral Indigenous knowledge
 - Hearing Order number: MH-047-2018
- The NEB released its decision and order on 2 May 2019, which imposed 21 conditions
 - Order number: ZO-E086-002-2019
 - REGDOCS File number: [A99247](#)
- NEB Panel: Phil Davies, Shane Parrish, Steven Kelly

Encana Deep Panuke Abandonment

- Abandonment (NEBA Part V, s.74 (1)(d))
- Abandonment of an approximately 175 km, 559 to 575 mm outside diameter, gas export pipeline from an offshore platform and related facilities in Nova Scotia
- Eight intervenors and three commenters participated in the hearing process, which included receiving oral Indigenous knowledge
 - Hearing Order number: MH-049-2018
- The NEB released its decision and order on 2 May 2019, which imposed 19 conditions
 - Order number: ZO-E112-001-2019
 - REGDOCS File number: [A99246](#)
- NEB Panel: Phil Davies, Shane Parrish, Steven Kelly

Enbridge Line 5 St Clair River Replacement Hearing Project

- Small Pipeline Infrastructure (NEBA, Part III, s. 58)
- Decommissioning and replacement of the 0.5 km Line 5 St. Clair River crossing
- Six intervenors and one commenter participated in the written hearing process
 - Hearing Order number: MHW-004-2019
- The NEB released its decision and orders on 12 July 2019, which imposed 11 conditions
 - Order numbers: XO-E101-007-2019, MO-026-2019
 - REGDOCS File number: [C00469](#)
- NEB Panel: Phil Davies, Steven Kelly, Jacques Gauthier

2018 TCPL Facilities Abandonment Program

- Abandonment (NEBA Part V, s. 74(1)(d))
- Abandonment of one meter station and one sales tap in Saskatchewan
- Submissions were received from one party during the written hearing process
 - Hearing Order number: MHW-001-2019
- The NEB released its decision and order on 29 July 2019, which imposed 10 conditions
 - Order number: ZO-T211-003-2019
 - REGDOCS File number: [C00745](#)
- NEB Panel: Shane Parrish

Bellatrix Exploration Ltd.- Cypress Merryflat Pipeline Abandonment

- Abandonment (NEBA Part V, s. 74(1)(d))
- Abandonment of the 6.2 km, 168.3mm outside diameter Cypress Merryflats pipeline in Alberta and Saskatchewan
- Submissions were received from one party during a written hearing process
 - Hearing Order number: MHW-008-2019
- The NEB released its decision and order on 1 August 2019 which imposed 14 conditions
 - Order number: ZO-B258-004-2019
 - REGDOCS File number: [C00811](#)
- NEB Panel: Shane Parrish

AltaGas Holdings Inc. Pouce Coupe B Abandonment

- Abandonment (NEBA Part V, s. 74(1)(d))
- Abandonment of the 2.4 km, 114mm outside diameter Pouce Coupe B Pipeline in British Columbia and Alberta
- No submissions were received during a written hearing process
 - Hearing Order number: MHW-005-2019
- The NEB released its decision and order on 12 August 2019 which imposed 7 conditions
 - Order number: ZO-A174-005-2019
 - REGDOCS File number: [C00959](#)
- NEB Panel: Shane Parrish

Obsidian Energy - Esther Court Pipeline Abandonment

- Abandonment (NEBA Part V, s. 74(1)(d))
- Abandonment of the 3.6 km, 168.3 mm outside diameter Esther Court pipeline in Alberta
- Submissions were received from one party during a written hearing process
 - Hearing Order number: MHW-002-2019
- The NEB released its decision and order on 23 August 2019 which imposed 7 conditions
 - Order number: ZO-O115-006-2019
 - REGDOCS File number: C01173
- NEB Panel: Shane Parrish

Jurisdictional Determination:

Coastal GasLink Project Jurisdiction

- NEB Jurisdiction (NEBA Part I, s. 12)
- Determination whether the Coastal GasLink Pipeline Project forms part of a federal undertaking and is subject to federal jurisdiction
- Submissions were received from 14 participants during the oral hearing process
 - Hearing Order number: MH-053-2018
- The NEB released its decision on 26 July 2019
 - REGDOCS File number: [C00715](#)
- NEB Panel: Phil Davies, Alison Scott, Marc Paquin

Tolls and Tariffs:

TransCanada new Long-Term Fixed Price Service for North Bay Junction

- Tolls and Tariffs (NEBA Part IV, s. 62)
- Application for a new Long Term Fixed Priced Service
- 15 Intervenors and 10 commenters participated in the written hearing process
 - Hearing Order number: RH-002-2018
- The NEB released its decision on 13 June 2019
 - REGDOCS File number: [A99955](#)
- NEB Panel: Lyne Mercier, Roland George, Shane Parrish

Maritimes & Northeast Pipeline Management Ltd. 2020-2021 Toll Settlement

- Tolls and Tariffs (NEBA Part IV, s. 62)
- Application for approval of the 2020-2021 Toll Settlement
- Submissions were received from seven parties during a written process
- The NEB released its decision and order on 6 August 2019
 - Order number: TG-007-2019
 - REGDOCS File number: [C00850](#)
- NEB Panel: Steven Kelly, Phil Davies, Shane Parrish

Export and Import:

Petrogas Long Term Propane Export Licence

- Export or Import Licences (NEBA Part VI, s. 117(1))
- Application for a 25-year licence to export propane
- No submissions were received during the comment process
- The NEB released its decision on 9 May 2019
 - REGDOCS File number: [A99342](#)
- NEB Panel: Steven Kelly, Shane Parrish, Murray Lytle

Including the decisions and recommendations following hearings listed above, the National Energy Board has issued:

- 40 Infrastructure decisions;
- 14 Tolls and Tariffs decisions;
- 109 Export and Import decisions;
- 9 Exploration and Production decisions and
- 12 Other decisions.

For a breakdown of these decisions, please see Appendix C.

Appendix C: Application Activity in 2019-20

2019-20 Application Activity

The following table includes those applications that are subject to a routine application evaluation process (where no one other than the applicant has expressed interest in providing input) and applications where the NEB or the CER has established a public hearing process for receiving input from people other than the applicant as part of its evaluation process.

An application under the NEB Act or CER Act may be submitted with requests under several parts of the NEB Act or CER Act or Regulations. Each application submitted is counted only once in the table as received and only once as having a decision or recommendation issued.

Abbreviations:

- Canada Energy Regulator (CER)
- National Energy Board (NEB)
- *Canadian Energy Regulator Act* (CERA), S.C. 2019, c.28, s.10
- *National Energy Board Act* (NEBA), R.S.C., 1985, c. N-7, Repealed (2019, c.28, s.44)
- *National Energy Board Act Part VI Regulations (Oil and Gas) Regulations (Part VI)*, SOR/96-244
- *Canadian Energy Regulator Onshore Pipeline Regulations* (OPR), SOR/99-294
- *Canada Oil and Gas Operations Act* (COGOA), R.S.C., 1985, c.O-7
- *Canada Oil and Gas Drilling and Productions Regulations* (D&P Regs), SOR/2009-315
- *Canada Petroleum Resources Act* (CPRA), R.S.C., 1985, c. 36 (2nd Supp.)
- *Canada Oil and Gas Geophysical Operations Regulations* (GO Regs), SOR/96-117

The two tables below show the application activity for both the NEB and CER for the fiscal year 2019-20.

Table C.1 (Summary of Application Activity in 2019-20) is a high level summary representation of the information in table C.2. It shows the grand total of all application activity.

Table C.2 (Detailed Application Activity in 2019-20) provides a detailed listing of all applications received, as well as, decisions and recommendations issued in 2019-20.

The National Energy Board (NEB) span of work in the tables below includes 1, April, 2019 to 27, August, 2019 inclusive. Decisions or Recommendations issued by the NEB in fiscal year 2019-20 are listed under the sub-heading NEB in both tables.

The Canada Energy Regulator (CER) span of work in the table below includes 28, August, 2019 to 31 March 2020 inclusive. Decisions or Recommendations issued by the CER in fiscal year 2019-20 are listed under the sub-heading CER in both tables. During this time, the Commission were able to issue decisions and recommendations for applications in progress under the NEBA, as well as new applications submitted under the CERA.

Table C.1-Summary of Application Activity in 2019-20:

Application Type	Number of Applications Received		Number of Decisions or Recommendations issued		
	2019–20	2018–19	2019–20		2018–19
			NEB ¹⁴	CER ¹⁵	
Infrastructure Applications (Total)	91	83	80		69
NEBA	46	83	40	31	69
CERA	45			9	
Tolls and Tariffs Applications (Total)	32	19	28		19
NEBA	15	19	14	5	19
CERA	17			9	
Exports & Imports Applications (Total)	602	629	602		627
NEBA	585	629	109	482	627
CERA	17			11	
Exploration & Production (Total)	40	1	40		1
CPRA, COGOA, OGOA, etc ¹⁶ .	40	1	9	31	1
Other (Total)	39	13	28		32
NEBA	11	13	12	7	32
CERA	28			9	
Grand Total	804	745	778		748
NEBA	657	744	175	525	747
CERA	107			38	
EXPLORATION & PRODUCTION	40	1	9	31	1

14 The sub-heading NEB contains all decisions or recommendations issued by the NEB in 2019-20

15 The sub-heading CER contains all decisions or recommendations issued by the CER in 2019-20

16 Etc-. includes all regulations associated with exploration and production – *Canada Oil and Gas Drilling and Productions Regulation*, as well as *Canada Oil and Gas Geophysical Operations Regulations*

Table C.2-Detailed Application Activity in 2019-20:

Application Type	# Applications Received			# Decisions or Recommendations Issued			
	2019-20	2018-19 (full year)	5 yr. Annual Average (2014-19)	2019-20		2018-19 (full year)	5 yr. Annual Average (2014-19)
				NEB ¹⁷	CER ¹⁸		
Infrastructure Applications							
Plans, Profiles and Books of Reference/ Detailed Route (NEBA, Part III, s. 33, 34, 35, 36)	1	0	1.2	0	3	8	5.4
(CERA, Part 3, s.199 (1-4), s.201 (1-4), s.202(1-5), s.203(1-2))	3				3		
Further Plans or Deviations (NEBA, Part III, s. 44, 45)	1	2	2.6	1	0	5	3.2
(CERA, Part 3, s.200, s.211(1),(2),(3))	1				1		
Large Pipeline Infrastructure (NEBA Part III, s. 52, s. 53)	3	2	1.4	0	1	1	1.8
(CERA, Part 3, s.183(2), (3)(a),(b),(c), s.184)6	0				0		
Small Pipeline Infrastructure (NEBA Part III, s. 58)	14	35	44.4	14	11	34	38.8
(CERA, Part 3, s.214(1-9))	18				3		
Power Line Permits (NEBA Part III, s. 58.11)	0	0	0.8	0	0	1	0.6
(CERA, Part 4, s.248)	1				0		
Power Line Certificates (NEBA Part III, s. 58.16)	0	0	0.2	0	0	1	0.4
(CERA, Part 4, s. 262(1))	0				0		
Sales and Transfers (NEBA, Part V, s. 74(1) (a), s. 74(1)(b), s. 74(1)(c))	3	10	9.6	6	1	4	10.6
(CERA, Part 3, s.181 1 (a),(b),(c))	0				0		

17 See footnote 14

18 See footnote 15

Application Type	# Applications Received			# Decisions or Recommendations Issued			
	2019–20	2018–19 (full year)	5 yr. Annual Average (2014–19)	2019–20		2018–19 (full year)	5 yr. Annual Average (2014–19)
				NEB ¹⁷	CER ¹⁸		
Abandonments Pipeline (NEBA Part V, s. 74 (1) (d))	2	9	5.4	6	3	1	3.6
(CERA, Part 3, s.241(1- 5))	1				0		
Abandonments Power Line (NEBA, Part III.1, s. 58.34 (1)(2))	0	0	0.0	0	0	0	0.0
(CERA, Part 4, s.277 (1) (2))	0				0		
Crossings/Damage Prevention (NEBA, Part V, s. 81, s. 112)	1	0	0.6	0	1	0	0.8
(CERA, Part 6, s.335, (1-10), s.338(1-4))	1				0		
Right of Entry and Construction over other Utility Lines (NEBA, Part V, s.104 and 108)	1	8	4.0	0	0	3	1.0
(CERA, Part 3, s.217 (1-6), Part 6, s.324(1-2))	20				2		
OPR Applications: Change of Service, Deactivation, Reactivation, Decommissioning (OPR, Part VI, s. 43, 44, 45, 45.1)	9	16	24.4	13	1	10	22.6
Substituted Service Regulations Applications (ss 3(1))	11	1	2.2	0	10	1	2.2
Grand Total NEBA & CERA Infrastructure Applications	91	83	96.8		80	69	91.0
Total NEBA Infrastructure Applications	46	83	96.8		71	69	91.0

Application Type	# Applications Received			# Decisions or Recommendations Issued			
	2019–20	2018–19 (full year)	5 yr. Annual Average (2014–19)	2019–20		2018–19 (full year)	5 yr. Annual Average (2014–19)
				NEB ¹⁷	CER ¹⁸		
Total CERA Infrastructure Applications	45				9		
Tolls and Tariffs Applications							
Tolls and Tariffs (NEBA Part IV, s. 59, s. 60, s. 62, s. 63, s. 64, s.65, s. 71)	15	19	26.2	14	5	19	24.2
(CERA, Part 3, s.226, s.227, s.229(1-2), s.230, s.231(1), s.232(1), s.233, s.239(1-3))	17				9		
Grand Total Tolls and Tariffs	32	19	26.2		28	19	24.2
Total NEBA Tolls and Tariffs	15	19	26.2		19	19	24.2
Total CERA Tolls and Tariffs	17				9		
Exports & Imports Applications							
Oil and Gas short-term orders (NEBA, Part I, s. 21 (1); NEBA Part VI (Oil and Gas) Regulations: Part I, ss 6(3); Part II, s 15 or 22; Part III, s. 28)	578	604	535.6	101	475	605	536.0
(CERA, Part 1, s.69(1-3))	2				2		
Electricity Export Permits (NEBA Part I, s.21, 21.2 and Part VI. s.119.03, and 119.093)	6	20	17.2	7	5	18	16.6
(CERA, Part 1, s.69(1-3), Part 7, Division 2, s.356 (permit issuance), s. 365(1) (variation or transfer), and s.366 (revocation))	14				9		

Application Type	# Applications Received			# Decisions or Recommendations Issued			
	2019–20	2018–19 (full year)	5 yr. Annual Average (2014–19)	2019–20		2018–19 (full year)	5 yr. Annual Average (2014–19)
				NEB ¹⁷	CER ¹⁸		
Long-term licences (NEBA ss. 119(3); Part I, s. 21, s. 21. (1); Part VI, s. 117 (1))	1	5	9.0	1	2	4	9.4
(CERA, Part 1, s.69(1- 3), Part 7, Division 1, s.344(1), s.348(1), s.349(2), s.351(1-2))	1				0		
Grand Total Exports & Imports	602	629	561.8		602	627	562.0
Total NEBA Exports & Imports	585	629	561.8		591	627	562.0
Total CERA Exports & Imports	17				11		
Exploration & Production							
Applications to drill a well (COGOA D&P Regs s. 10-13)	0	0	0.0	0	0	0	0.0
Applications to alter the condition of a well (COGOA D&P Regs s. 10, 12, 13)	40	1	15.4	9	31	1	15.2
Geological and geophysical applications (COGOA para 5(1)(b) and GO Regs s. 3)	0	0	0.2	0	0	0	0.4
Significant Discovery Applications on frontier lands (CPRA s. 28)	0	0	0.0	0	0	0	0.0
Commercial Discovery Applications on frontier lands (CPRA s. 35)	0	0	0.0	0	0	0	0.0
NWT OGOA Applications (all)	0	0	0.4	0	0	0	0.4
Total Exploration & Production	40	1	16.0		40	1	16.0
Other							
Powers of the Board and Variances (NEBA, Part I, s. 12-13, 21)	11	13	25.4	12	7	32	18.8

Application Type	# Applications Received			# Decisions or Recommendations Issued			
	2019–20	2018–19 (full year)	5 yr. Annual Average (2014–19)	2019–20		2018–19 (full year)	5 yr. Annual Average (2014–19)
				NEB ¹⁷	CER ¹⁸		
(CERA, Part 1, s.32, s.34, s.69, Part 3, s.190, Part 4, s.280, Part 6, s.313)	26				9		
Compensation (NEBA Part III, s. 48.35 (1), Part V, s. 88 (1))	0	0	0.0	0	0	0	0.0
(CERA, Part 2, s.160, Part 6, s.327)	2				0		
Grand Total Other	39	13	25.4	28		32	18.8
Total NEBA Other	11	13	25.4	19		32	18.8
Total CERA Other	28			9			
Grand Total All Applications & Decisions/ Recommendations	804	745	726.2	778		748	712.0
Total NEBA All Applications & Decisions/ Recommendations	657	744	726.2	700		747	712.0
Total CERA All Applications & Decisions/ Recommendations	107			38			
Total Exploration & Production All Applications & Decisions/ Recommendations	40	1	16.0	40		1	16.0

Appendix D: Time Limits

2019-20 Time Limits

The following tables show applications which were subject to time limits for processing as per the NEB Act and CER Act. All time limits were met in 2019-20.

Under the CER Act, the Lead Commissioner must set a time limit for certain types of applications. The time limit must not exceed the maximum number of days indicated in the CER Act. The Commission must complete its assessment and make its recommendation or decision within this time limit. The standard time limits set by the Lead Commissioner can be found on the CER [website](#)¹⁹.

Time limits for applications under the NEB Act were similarly set by the Chair of the NEB and can be found on the CER website under REGDOCS File Number: [A42827](#)²⁰

Applications processed by the CER subject to time limits:

Legislation	Application Type	Time Limit	Application	#Days from Completeness to Decision Issued	#Months from Completeness to Decision Issued	Decision	Date of Decision
CERA s 214	Small Pipeline Infrastructure - Category B	210 days from application complete	NOVA Gas Transmission Ltd. s. 214 application to construct and operate - Alberta-Montana Border Sales Meter Station Replacement	61	2	C05342	18 March 2020
CERA s 214	Small Pipeline Infrastructure - Category B	210 days from application complete	NOVA Gas Transmission Ltd. s. 214 application to construct and operate - Anderson Lake Receipt Meter Station	56	1	C05215	13 March 2020

19 www.cer-rec.gc.ca/bts/whwr/gvrnnc/nbsvcstndrd/index-eng.html

20 <https://apps.cer-rec.gc.ca/REGDOCS/Item/View/831396>

Legislation	Application Type	Time Limit	Application	#Days from Completeness to Decision Issued	#Months from Completeness to Decision Issued	Decision	Date of Decision
CERA s 214	Small Pipeline Infrastructure - Category A	130 days from application complete	NOVA Gas Transmission Ltd. s. 214 application to construct and operate - Dawson Creek East No. 2 Receipt Meter Station	27	0	C04626	10 February 2020
NEBA s 117	Export or Import Licences	6 months	Chevron Canada Limited s. 117 application for a licence to export liquefied natural gas from Canada for a term of 40 years. (HEARING)	159	5	C03430	4 December 2019
NEBA s 52	Large Pipeline Infrastructure	15 months	NGTL s. 52 application - 2021 NGTL System Expansion Project (HEARING)	443	14	C04761	19 February 2020
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	NOVA Gas Transmission s. 58 application to construct and operate - Smoky River Sales Meter Station	36	1	C03839	19 December 2019

Legislation	Application Type	Time Limit	Application	#Days from Completeness to Decision Issued	#Months from Completeness to Decision Issued	Decision	Date of Decision
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	TransCanada PipeLines Limited - s 58 application to construct and operate - Waverley West Sales Meter Station	80	2	C03560	9 December 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	Enbridge Pipelines Inc. s. 58 application - Line 1 Connectivity at Gretna	21	0	C03132	20 November 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	Many Islands Pipe Lines (Canada) Limited s. 58 application to construct and operate - Norquay Benito Pipeline Segment Replacements	77	2	C03701	5 November 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	NOVA Gas Transmission Ltd. s. 58 application to construct and operate - Sunchild Receipt Meter Station	76	2	C02704	4 November 2019

Legislation	Application Type	Time Limit	Application	#Days from Completeness to Decision Issued	#Months from Completeness to Decision Issued	Decision	Date of Decision
NEBA s 58	Small Pipeline Infrastructure - Category C	300 days from application complete	NOVA Gas Transmission Ltd. s. 58 application - to construct and operate - Groundbirch Mainline Loop (Sunrise Section)	135	4	C02398	24 October 2019
NEBA s 58	Small Pipeline Infrastructure - Category C	300 days from application complete	NGTL s. 58 application - North Central Corridor Loop (North Star Section 1)	229	7	C02258	15 October 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	NOVA Gas Transmission Ltd. s. 58 application to construct and operate - Cutbank River North Receipt Meter Station	55	1	C02265	15 October 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	LBX Pipeline Ltd. s. 58 application to construct and Operate - BlackPearl Onion Lake Project	79	2	C02208	10 October 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	TransCanada PipeLines Limited s. 58 application to construct and operate - Brandon Sales Meter Station Upgrade	62	2	C02173	9 October 2019

Legislation	Application Type	Time Limit	Application	#Days from Completeness to Decision Issued	#Months from Completeness to Decision Issued	Decision	Date of Decision
NEBA s 58	Small Pipeline Infrastructure	15 months	Westcoast s. 58 application to construct and operate - T-South 2018 Compressor Station Applications (HEARING)	287	9	C01857	26 September 2019

Applications processed by the NEB subject to time limits:

Legislation	Application Type	Time Limit	Application	#Days from Completeness to Decision Issued	#Months from Completeness to Decision Issued	Decision	Date of Decision
NEBA s 58	Small Pipeline Infrastructure	15 months	Enbridge s. 58 application - Line 5 St. Clair River Replacement Project (HEARING)	301	9	C00469	12 July 2019
NEBA s 117	Export or Import Licences	6 months	Petrogas Energy Corp. s. 117 application authorizing the export of propane (HEARING)	107	3	A99342	9 May 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	TransCanada PipeLines Limited s. 58 application to construct and operate - Assiniboine River Sales Meter Station	54	1	C00386	8 July 2019

Legislation	Application Type	Time Limit	Application	#Days from Completeness to Decision Issued	#Months from Completeness to Decision Issued	Decision	Date of Decision
NEBA s 58	Small Pipeline Infrastructure - Category C	300 days from application complete	TNPI s. 58 application to relocate and operate - Credit River QEW Lynchmere Avenue Pipeline Relocation	92	3	C00148	26 June 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	NGTL s. 58 application - to construct and operate - Wolf Lake South Receipt Meter Station	91	2	C00027	19 June 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	NOVA Gas Transmission s. 58 application to construct and operate - Sheerness No. 2 Sales Meter Station	38	1	A99824	7 June 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	NOVA Gas Transmission Ltd. s. 58 application to construct and operate - Dorscheid Receipt Meter Station	63	2	A99757	4 June 2019
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	TransCanada s. 58 application - to construct and operate - Hardisty East and West Interconnecting Facilities Pump Unit Additions	88	2	A99765	4 June 2019

Legislation	Application Type	Time Limit	Application	#Days from Completeness to Decision Issued	#Months from Completeness to Decision Issued	Decision	Date of Decision
NEBA s 58	Small Pipeline Infrastructure - Category B	210 days from application complete	NOVA Gas Transmission Ltd. s. 58 application to construct and operate - Pipestone Creek Receipt Meter Station	77	2	A99634	29 May 2019
NEBA s 58	Small Pipeline Infrastructure - Category C	300 days from application complete	Westcoast Energy Inc. - s. 58 application to construct and operate - 6BL Hihium Lake Crossover Assembly	88	2	A99262	3 May 2019
NEBA s 58	Small Pipeline Infrastructure - Category C	300 days from application complete	Westcoast Energy Inc. - s. 58 application to construct and operate - 6BL Bonaparte River Crossover Assembly	88	2	A99261	3 May 2019
NEBA s 58	Small Pipeline Infrastructure - Category C	300 days from application complete	Westcoast Energy Inc. s. 58 application - 4BL Cottonwood River Crossover Assembly	88	2	A99260	3 May 2019
NEBA s 58	Small Pipeline Infrastructure - Category C	300 days from application complete	NGTL s. 58 application for the construction and operation of McLeod River North Project	253	8	A99067	25 April 2019

Legislation	Application Type	Time Limit	Application	#Days from Completeness to Decision Issued	#Months from Completeness to Decision Issued	Decision	Date of Decision
NEBA s 58	Small Pipeline Infrastructure	15 months	NOVA Gas Transmission Ltd. - construct and operate the West Path Delivery Project (HEARING)	301	9	A98761	11 April 2019
NEBA s 58	Small Pipeline Infrastructure - Category C	300 days from application complete	Trans Mountain Pipeline ULC s. 58 application - North Thompson 6 Crossing Replacement	97	3	A98628	3 April 2019



Appendix E: Leave To Open Orders Issued in 2019-20

Under the CER Act, a company requires permission from the Commission before opening a pipeline or a section of pipeline for the transmission of hydrocarbons or any other commodity.

The Commission may grant leave under section 213 of the CER Act (formerly section 47 of the NEB Act) if satisfied that the pipeline can be safely opened for transmission. Applications for this leave are made after approved construction is complete (on the pipeline or a portion of it) and the company can demonstrate that the facility can begin operations safely.

The table below shows the number of Leave to Open Orders (LTO) granted in the 2019-20 fiscal year, by company.

LTO granted to companies by the National Energy Board (1 April-27 August 2019) are listed in the NEB column. LTO granted by the Commission (28 August 2019-31 March 2020) are listed in the CER column.

Company/Project	NEB	CER
Enbridge Pipelines Inc.	6 (Total)	
Line 3 Replacement Program	6	
Kinder Morgan Utopia Ltd.	2 (Total)	
Detroit River Crossing Replacement Project	2	
NOVA Gas Transmission Ltd.	21 (Total)	40 (Total)
Cutbank River North Receipt Meter Station Project		1
Dorscheid Receipt Meter Station		1
Gold Creek South Receipt Meter Station No. 2		1
Grande Prairie Mainline (GPML)	2	13
McLeod River North Project		1
Mildred Lake East Sales Meter Station		1
North Central Corridor Loop		1
North Montney Project	9	10
North Path Delivery Project	2	2
Pipestone Creek Receipt Meter Station		1
Saddle West Expansion Project	7	
Sheerness No. 2 Sales Meter Station		1
Smoky River Lateral Loop	1	
Sunchild Receipt Meter Station		1
West Path Delivery Project		4
Winchell Lake Compressor Station Unit Addition		1
Wolf Lake South Receipt MS		1
Trans Mountain Pipeline ULC		1 (Total)
North Thompson 6 Crossing Replacement Project		1
Trans Québec and Maritimes Pipeline Inc.		1 (Total)
East Hereford Compressor Station Upgrade		1
TransCanada PipeLines Limited	1 (Total)	2 (Total)
Brandon Sales Meter Station Upgrade		1
Station 130 C4 Unit Addition	1	1
Westcoast Energy Inc., carrying on business as Spectra Energy Transmission	2 (Total)	1 (Total)
Modernization Project	2	1
Grand Total	32	45

Appendix F:

Administrative Monetary Penalty Reviews

Administrative Monetary Penalty Reviews (AMPS):

AMPs are issued by persons authorized by the CEO pursuant to section 116 of the CER Act, according to the *Administrative Monetary Penalties Regulations*.²¹

A person who has been served with notice of an AMP can request a review from the Commission, which must conduct the review or cause it to be conducted, pursuant to sections 125-129 of the CER Act.

The Commission did not review any AMPs in the period from 28 August 2019 to 31 March 2020, however the NEB conducted one review in June 2019.

While there were no AMPS issued in 2019-20, there was a decision review by the NEB:

Reference Number	Related Documents	Date AMP issued	Recipient	Region/Facility	Description	Result of Review
AMP-001-2019	14 June 2019 Decision Letter	January 30, 2019	Plains Midstream Canada	Regina, Saskatchewan	Failure to locate a pipeline as prescribed by para. 6(1) (b) of the <i>Damage Prevention Regulations</i> – Obligations Request to review penalty amount.	Original \$88,000 penalty amount recalculated to \$76,000

21 SOR/2013-138

Appendix G:

Safety Orders in Effect in 2019-20

The following table summarizes the status of Safety Orders that are currently in effect. The Commission can issue these Orders pursuant to section 95 of the CER Act, to ensure the safety and security of persons and facilities and/or for the protection of property or the environment. Previously, the NEB issued these Orders pursuant to section 48 of the NEB Act.

Many Safety Orders will remain in effect for several years, in which case CER staff will continue to monitor compliance with the Order. The existence of a Safety Order in many cases establishes/imposes safe thresholds for continued operation (e.g. pressure restrictions). It is necessary to keep these restrictions in place until such time the Commission is of the opinion that the company has sufficiently addressed underlying issues.

Although the Commission did not issue a Safety Order as of 30 March 2020, those Orders issued by the NEB that are still in effect are now considered to be Orders of the Commission, pursuant to the transitional provisions associated with the CER Act.

Order Number	Date Issued	Company	Region	Description/ reason for Safety Order	Resulting Action/Status
SG-C293-01-2011	20-Jan-11	Centra Transmission Holdings Inc	Sections through Ontario, Fort Francis	Non-compliances resulting from compliance verification activity	Pressure restriction of 80% of the Maximum Operating Pressure (MOP) Status 31 March 2020: Pressure restriction continues while the company is planning a robotic inline inspection of two non-piggable river crossings in 2020.
SG-N081-005-2013	19-Dec-13	NOVA Gas Transmission Ltd	Ukalta Lateral	Issued due to Incident # 2013-141, leak on Ukalta Lateral line	Pressure restriction not exceeding 6,570 kPa, must perform weekly above ground leak detection surveys, inline inspection validation Status 31 March 2020: Pressure restriction continues while the company assesses the business need for continued operation of the lateral pipeline

Order Number	Date Issued	Company	Region	Description/ reason for Safety Order	Resulting Action/Status
SG-T211-002-2014	10-Apr-14	TransCanada PipeLines Limited	Canadian Mainline Line 100-4 near Burstall	<p>Incident 2013-150 leak, which occurred on the TCPL Canadian Mainline Line near Burstall</p> <p>Amended by Order AO-001-SG-T211-002-2014 on 17 April 2014 to grant an extension for condition 2.</p>	<p>Operate the section of Line 100-4 at an operating pressure not exceeding 3,500 kPa, until such time as the Commission may approve an increase in operating pressure</p> <p>Status 31 March 2020:</p> <p>Staff continue to monitor the integrity management of this pipeline during compliance meetings with the company to ensure the pressure restriction is adequate.</p>
SO-P384-001-2015	13-Jan-15	Plains Midstream Canada ULC	Pipelines in Alberta, Saskatchewan, Manitoba and Ontario	Deficiencies from non-compliant findings associated with Corrective Action Plan from 2010 Audit	<p>Requires corrective actions to address deficiencies</p> <p>Status 31 March 2020:</p> <p>All conditions have been assessed by CER staff and a Commission decision regarding the Company actions is expected to be issued in 2020-21 fiscal year.</p>

Order Number	Date Issued	Company	Region	Description/ reason for Safety Order	Resulting Action/Status
AO-001-SO-T217-03-2010	19-Sep-16	Trans-Northern Pipelines Inc	Ontario and Quebec	<p>Amending Order issued a result of several overpressure incidents from 2010-2016. Replaced three existing Safety Orders from 2009-2010 including a system wide Safety Order. Imposed 10% pressure restriction in addition to the 20 % pressure restriction from the system wide safety order.</p> <p>Further amended by Order AO-002-SO-T217-003-2010 on 24 October 2016 to reflect revised authorized and related reduced operating pressures previously imposed.</p> <p>Further amended by Order AO-003-SO-T217-003-2010 on 12 April 2017 to vary conditions 4 and 7 and add condition 8, as well as a new Schedule D for two pipelines</p>	<p>Operate the pipeline sections at reduced pressures-10% as per Schedule A and 30% MOP as per Schedules B and C. Multiple other conditions including requirement for hydraulic analysis, Bronte Creek release remediation, provide annual engineering assessments and watercourse crossing management program.</p> <p>Status 31 March 2020:</p> <p>Three conditions remain for approval. The company has not yet requested an increase in pressure and periodic, reoccurring requirements (e.g. engineering assessments) are still on-going. CER staff continue to monitor the company's compliance with the amended Safety Order.</p>
AO-015-SG-N081-001-2014	22-Nov-18	NOVA Gas Transmission Ltd	NGTL System	<p>Leaks and ruptures have occurred on NGTL pipelines that are not able to be internally inspected using automated tools</p>	<p>Pressure restriction on twenty-five (25) unpiggable NGTL pipelines that TransCanada has calculated to have the highest societal risk</p> <p>Status 31 March 2020:</p> <p>Three lateral pipelines remain on the Order. Two are subject to deactivation / abandonment while the business need for the third is being assessed by the company.</p>

Appendix H: Abandonment Funding

All pipeline companies are required to follow the *Canadian Energy Regulator Onshore Pipeline Regulations*,²² which include a systematic approach to pipeline management, including abandonment. The Commission approves applications to abandon pipelines (s.241 of the CER Act) and also ensures that companies have sufficient funds to pay for the eventual abandonment of pipelines (s.242 of the CER Act).

Companies' management of financial resources includes the proactive management of their obligations relating to the set aside and collection of abandonment funds. The Commission reviews and assesses companies' abandonment cost estimates, which must be submitted every 5 years, and ensures that financial instruments are in place for those funds.

Canadians can be confident that the resources required to properly abandon pipelines have been, and continue to be, assessed and set aside for that purpose.

Companies using Letters of Credit or Surety Bonds

This table lists all CER-regulated companies that are using a Letter of Credit or Surety Bond to fund their abandonment cost estimate and the amount of each associated financial instrument. The Amount of Instrument column reflects the latest abandonment cost estimates in 2018 dollars.

Company	Financial Instrument	Amount of Instrument (In 2018 Dollars)
1057533 Alberta Ltd. (Harvest Operations Corp)	Letter of Credit	855,173
6720471 Canada Ltd.	Letter of Credit	45,000
Altagas Holdings Inc. for and on behalf of Altagas Pipeline Partnership	Surety Bond	1,875,849
ARC Resources Ltd.	Letter of Credit	1,893,204
Bellatrix Exploration Ltd.	Financial instrument cashed by the CER	54,000
Bonavista Energy Corporation	Letter of Credit	18,185
Bow River Energy Limited	Financial instrument cashed by the CER	68,500
Caltex Resources Ltd.	Letter of Credit	291,292
Campus Energy Partners Operations Inc.	Surety Bond	27,234,710
Canadian Natural Resources Limited	Surety Bond	909,876
Canadian-Montana Pipe Line Company	Surety Bond	300,000
Canlin Energy Corporation	Letter of Credit	101,557
Cenovus Energy Inc.	Letter of Credit	1,845,917
Champion Pipe Line Corporation Limited	Letter of Credit	14,009,422
Cona Resources Ltd.	Letter of Credit	1,320,396
Crescent Point Energy Corp.	Letter of Credit	346,878

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Company	Financial Instrument	Amount of Instrument (In 2018 Dollars)
Delphi Energy Corporation	Surety Bond	163,000
Enercapita Energy Ltd.	Letter of Credit	1,527,861
ExxonMobil Canada Properties	Letter of Credit	7,985,252
FortisBC Huntingdon Inc.	Letter of Credit	115,754
Gear Energy Ltd.	Letter of Credit	242,900
Glenogle Energy Inc.	Letter of Credit	80,156
Great Lakes Pipeline Canada Ltd.	Letter of Credit	12,586,000
Husky Oil Operations Limited	Letter of Credit	8,387,654
ISH Energy Ltd.	Letter of Credit	3,046,923
Imperial Oil Resources Limited	Letter of Credit	1,414,710
LBX Pipeline	Letter of Credit	3,198,336
Leucrotta Exploration Inc.	Letter of Credit	241,490
Lignite Pipeline Canada Corp.	Surety Bond	1,426,320
Mosbacher Operating Ltd.	Letter of Credit	78,595
NorthRiver Midstream G and P Canada Pipelines Inc. (formerly Enbridge G and P Canada Pipelines Inc.)	Letter of Credit	1,462,274
Obsidian Energy Inc.	Letter of Credit	922,150
Omimex Canada, Ltd.	Letter of Credit	132,950
OVINTIV Canada ULC (Mid Tupper & Tupper Hythe)	Surety Bond	2,068,970
OVINTIV Canada ULC (4 Deep Panuke)	Letter of Credit	70,000,000
Pembina Energy Services Inc.	Letter of Credit	6,004,973
Pembina Prairie Facilities Ltd.	Letter of Credit	31,102,297
Pieridae Alberta Production Ltd.	Letter of Credit	332,477
Pine Cliff Border Pipelines Limited	Letter of Credit	704,000
Pine Cliff Energy Ltd.	Letter of Credit	127,250
Pipestone Energy Corp.	Letter of Credit	11,600
Prospera Energy Inc.	Letter of Credit	90,726
Resolute FP Canada Inc.	Letter of Credit	39,000
SanLing Energy Ltd.	Financial instrument cashed by the CER	45,000
Shell Canada Energy	Letter of Credit	4,920,047
Shell Canada Products Limited	Letter of Credit	259,288
Shiha Energy Transmission Ltd.	Surety Bond	180,000
Steel Reef Pipelines Canada Corp.	Letter of Credit	470,613
Strategic Transmission Ltd.	Financial instrument cashed by the CER	245,447
Sunoco Logistics Partners Operations GP LLC	Surety Bond	1,003,925
Tamarack Acquisition Corp.	Letter of Credit	43,980
TAQA North Ltd.	Letter of Credit	1,450,075

Company	Financial Instrument	Amount of Instrument (In 2018 Dollars)
Terra Energy Corp.	Financial instrument cashed by the CER	74,375
Tidewater Midstream and Infrastructure Ltd.	Letter of Credit	1,857,506
Tundra Oil & Gas Limited for and on behalf of Tundra Oil & Gas Partnership	Letter of Credit	72,812
Veresen Energy Pipeline Inc.	Surety Bond	3,326,412
Veresen NGL Pipeline Inc. (Empress Pipeline)	Letter of Credit	1,761,889
Whitecap Resources Inc.	Letter of Credit	1,255,752
Windmill Dream	Letter of Credit	213,097
Yoho Resources Inc.	Letter of Credit	50,000

Companies using Trusts

This table lists all CER-regulated companies that are using a trust to fund their abandonment cost estimate, each associated abandonment cost estimate and the funds collected as of 31 December 2018.

Company	Abandonment Cost Estimate (\$)	Collection Period (Years)	2018 Close Balance (\$) – Actual
2193914 Canada Limited	6,058,670	40	787,000
Alliance Pipeline Ltd.	309,970,000	40	43,976,820
Aurora Pipeline Company Ltd.	113,375	40	15,021
Centra Transmission Holdings Inc.	25,936,102	40	4,167,899
Emera Brunswick Pipeline Company Ltd.	11,146,629	19.5	3,133,000
Enbridge Bakken Pipeline Company Inc., on behalf of Enbridge Bakken Pipeline Limited Partnership	9,345,715	25	2,206,000
Enbridge Pipelines (NW) Inc.	37,007,694	11	8,858,000
Enbridge Pipelines Inc.	1,115,490,005	40	182,560,000
Enbridge Southern Lights GP Inc. on behalf of Enbridge Southern Lights LP	100,790,292	40	14,272,000
Express Pipeline Ltd.	44,305,000	40	5,269,824
Foothills Pipelines Ltd.	197,869,000	30	35,316,000
Genesis Pipeline (Canada) Ltd.	3,114,576	40	500,187
Kinder Morgan Cochin ULC	26,385,000	19.5	6,860,000
Kinder Morgan Utopia Ltd.	1,104,300	21	34,494
Maritimes & Northeast Pipeline Management Limited	150,600,000	19.5	44,163,315
Montreal Pipe Line Limited	19,873,239	40	2,971,789
Niagara Gas Transmission Limited	6,229,841	40	807,000

Company	Abandonment Cost Estimate (\$)	Collection Period (Years)	2018 Close Balance (\$) – Actual
NOVA Chemicals (Canada) Ltd.	388,860	40	76,985
Nova Gas Transmission Ltd.	2,184,840,000	30	408,397,000
Plains Midstream Canada ULC	52,711,652	40	9,492,291
Pouce Coupé Pipe Line Ltd. (Pembina North LP)	7,485,502	5 and 15	3,612,251
Souris Valley Pipeline Limited	2,885,416	Trust fully funded up front	2,995,448
Spectra Energy Midstream Canada Partner Corporation	1,318,404	40	1,240,251
St. Clair Pipelines Management Inc.	1,253,355	40	172,698
TEML Westspur Pipeline Ltd.	32,270,392	25	8,166,000
Trans Mountain Pipeline Inc.	340,043,000	40	56,090,831
Trans Quebec & Maritimes Pipeline (TQM) Inc.	102,533,000	25	21,338,000
TransCanada Keystone Pipeline GP Ltd.	235,992,000	25	47,813,000
TransCanada Pipelines Limited	2,530,212,000	25	619,297,000
Trans-Northern Pipelines Inc.	76,678,000	40	11,318,643
Union Gas Limited	101,163	Trust fully funded up front	108,000
Vector Pipeline Limited Partnership (Enbridge)	4,751,002	40	643,000
Westcoast Energy Inc. (Zones 1 and 2) (Gathering and Processing)	683,610,105	40	34,527,976
Westcoast Energy Inc. (Zones 3 and 4) (Transmission)	8,334,955,242	40	30,763,074

Appendix I:

Financial Resources Requirements

The CER enforces the polluter pays principle, requiring all necessary measures to be taken to make the pipeline safe, clean up the spill and remediate the environment in the event of a spill or incident.

In June 2018, the *Pipeline Financial Requirements Regulations* (PFRRs)²³ were passed, with most of the associated requirements coming into force as of 11 July 2019. The PFRRs set out absolute liability limits for CER-regulated companies, and require all companies to maintain financial resources equal to their respective absolute liability limits, or a greater amount if determined by the CER. These absolute liability limits range from \$200 million to \$1 billion for oil pipelines, \$10 Million to \$200 million for gas pipelines, and \$5 to \$10 million for other commodity pipelines, depending on factors including pipeline capacity, diameter, and commodity transported.

The PFRRs prescribes a list of financial resource types, and a list of readily accessible types, from which the Commission may choose to direct companies to maintain. These financial resource types prescribed by the PFRRs as follows:

- Insurance policy;
- Escrow agreement;
- Letter of credit;
- Line of credit;
- Participation in a pooled fund, as referred to in subsection 139(1) of the CER Act;
- Parent company guarantees;
- Surety bond or pledge agreement, or indemnity bond or suretyship agreement; and,
- Cash or cash equivalents.

The Regulations also state that only authorized in-service pipelines will be considered in the determination of a company's absolute liability class. Therefore, those pipelines that are not in service are exempt from filing an absolute liability limit and financial resources plan at this time.

In order to ensure compliance to the PFRRs, the CER developed filing guidance, and required all companies to file financial resources plans for evaluation. These plans set out the financial resources each company has available to respond to spills or incidents, and demonstrate how companies meet the financial resource requirements in the CER Act and Regulations. If the plans are insufficient, the Commission has the authority to order companies to maintain additional financial resources.

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CER Regulated Companies Financial Resource Plan Evaluation Status:

Company	Class	Absolute Liability Limit (A.L.L.)	Status of Financial Resource Plan Filing
1057533 Alberta Ltd.	Oil Class 3	\$200 Million	Under review
2133151 Alberta Ltd.	Gas Class 1	\$200 Million	Under review
2193914 Canada Limited	Gas Class 1	\$200 Million	Approved
6720471 Canada Ltd.	Gas Class 4	\$10 Million	Conditionally approved
Alliance Pipeline Ltd.	Gas Class 1	\$200 Million	Approved
Altagas Holdings Inc.	Gas Class 2	\$50 Million	Approved
ARC Resources Ltd.	Gas Class 2	\$50 million	Approved
Aurora Pipeline Company Ltd.	Oil Class 3	\$50 Million	Under review
Bellatrix Exploration Ltd.	Exempt from requirements at this time		
Bonavista Energy Corp.	Exempt from requirements at this time		
Bow River Energy Limited	Exempt from requirements at this time		
Caltex Resources Ltd.	Gas Class 3	\$50 Million	Approved
Canada Border Services Agency	Gas Class 4	\$10 Million	Approved
Canadian Montana Pipeline Ltd.	Gas Class 2	\$50 Million	Under review
Canadian Natural Resources Ltd.	Oil Class 2	\$300 Million	Approved
Canlin Energy Corporation	Exempt from requirements at this time		
Cenovus Energy Inc.	Gas Class 1	\$200 Million	Approved
Centra Transmission Holdings Inc.	Gas Class 2	\$50 Million	Under review
Champion Pipe Line Corporation Limited	Gas Class 2	\$50 Million	Under review
Chief Mountain Gas Co-op Ltd.	Gas Class 4	\$10 Million	Under review
Commandité gestion energy Windmill DREAM Québec inc.	Exempt from requirements at this time		
Crescent Point Energy Corp.	Gas Class 3	\$50 Million	Approved
Delphi Energy Corp.	Exempt from requirements at this time		

Company	Class	Absolute Liability Limit (A.L.L.)	Status of Financial Resource Plan Filing
Emera Brunswick Pipeline Company Ltd.	Gas Class 1	\$200 Million	Under review
Enbridge Bakken Pipeline Company Inc.	Oil Class 2	\$300 Million	Approved
Enbridge Gas Inc.	Gas Class 2	\$50 Million	Approved
Enbridge Pipelines (NW) Inc.	Oil Class 3	\$200 Million	Approved
Enbridge Pipelines Inc.	Oil Class 1	\$1 Billion	Approved
Enbridge Southern Lights GP Inc. on behalf of Enbridge Southern Lights LP	Oil Class 2	\$300 Million	Approved
Enercapita Energy Ltd.	Gas Class 2	\$50 Million	Approved
Express Pipeline Ltd.	Oil Class 1	\$1 Billion	Approved
ExxonMobil Canada Ltd.	Exempt from requirement at this time		
Foothills Pipe Line Ltd.	Gas Class 1	\$200 Million	Approved
FortisBC Huntingdon Inc.	Gas Class 1	\$200 Million	Under review
Forty Mile Gas Co-op	Exempt from requirements at this time		
Gear Energy Ltd.	Have not filed – in non-compliance		
Genesis Pipeline Canada Ltd.	Oil Class 2	\$300 Million	Under review
Glencoe Resources Ltd.	Exempt from requirements at this time		
Glenogle Energy Inc.	Gas Class 2	\$50 Million	Under review
Great Lakes Pipeline Canada Ltd.	Gas Class 1	\$200 Million	Approved
Husky Oil Operations Limited	Oil Class 2	\$300 Million	Approved
ISH Energy Ltd.	Oil Class 3	\$200 Million	Under review
Kinder Morgan Cochin ULC	Oil Class 2	\$300 Million	Approved
Kinder Morgan Utopia Ltd.	Oil Class 2	\$300 Million	Approved
Kingston Midstream Westspur Limited	Oil Class 2	\$300 Million	Conditionally approved
LBX Pipelines Ltd.	Oil Class 2	\$300 Million	Under review
Leucrotta Exploration Inc.	Exempt from requirements at this time		

Company	Class	Absolute Liability Limit (A.L.L.)	Status of Financial Resource Plan Filing
Lignite Pipeline Canada Corp	Exempt from requirements at this time		
Many Islands Pipe Lines (Canada) Ltd.	Gas Class 1	\$200 Million	Approved
Maritimes & Northeast Pipeline Management Limited	Gas Class 1	\$200 Million	Approved
Minell Pipeline Ltd.	Gas Class 2	\$50 Million	Conditionally Approved
Montreal Pipe Line Limited	Oil Class 2	\$300 Million	Approved
Niagara Gas Transmission Limited	Gas Class 1	\$200 Million	Approved
Northriver Midstream Canada Pipelines Inc.	Gas Class 2	\$50 Million	Under review
Northriver Midstream G and P Canada Pipelines Inc.	Gas Class 1	\$200 Million	Under review
NOVA Gas Transmission Ltd.	Gas Class 1	\$200 Million	Approved
Obsidian Energy Inc.	Gas Class 2	\$50 Million	Approved
Omimex Canada Ltd.	Exempt from requirements at this time		
Ovintiv Canada ULC	Gas Class 2	\$50 Million	Approved
Pieridae Alberta Production Ltd.	Gas Class 2	\$50 Million	Under review
Pipestone Energy Corp.	Exempt from requirements at this time		
Pembina Energy Services Ltd.	Gas Class 2	\$50 Million	Approved
Pembina Prairie Facilities Ltd.	Gas Class 2	\$50 Million	Approved
Pine Cliff Energy Ltd. & Pine Cliff Border Pipelines Ltd.	Gas Class 2	\$50 Million	Under review
Plains Midstream Canada ULC	Oil Class 1	\$1 Billion	Approved
Portal Municipal Gas Company Canada Inc. c/o SaskEnergy	Gas Class 4	\$10 Million	Under review
Pouce Coupe Pipe Line Ltd.	Oil Class 2	\$300 Million	Approved
Resolute FP Ltd.	Commodity Class 1	\$10 Million	Approved

Company	Class	Absolute Liability Limit (A.L.L.)	Status of Financial Resource Plan Filing
SCL Pipeline Inc.	Gas Class 2	\$50 Million	Approved
Shiha Energy Transmission Ltd.	Exempt from requirements at this time		
Souris Valley Pipeline Limited	CO2 or Water Class	\$5 Million	Approved
St. Clair Management Inc.	Gas Class 1	\$200 Million	Approved
Steel Reef Pipelines Canada Corp.	Gas Class 2	\$50 Million	Approved
Strategic Oil & Gas (Strategic Transmission)	Exempt from requirements at this time		
Sunoco Pipeline LP	Gas Class 2	\$50 Million	Under review
Tamarack Acquisition Corp.	Exempt from requirements at this time		
TAQA North Ltd.	Gas Class 2	\$50 Million	Approved
Tidewater Midstream & Infrastructure Ltd.	Have not filed – in non-compliance		
Trans Canada Pipelines Limited	Gas Class 1	\$200 Million	Approved
Trans Mountain Pipeline ULC	Oil Class 1	\$1 Billion	Approved
Trans Quebec & Maritimes Pipeline Inc.	Gas Class 1	\$200 Million	Approved
TransCanada Keystone Pipeline GP Ltd. (Keystone)	Oil Class 1	\$1 Billion	Approved
Trans-Northern Pipelines Inc.	Oil Class 2	\$300 Million	Under review
Tundra Oil & Gas Limited	Oil Class 3	\$200 Million	Under review
Twin Rivers Paper Company Inc.	Have not filed – in non-compliance		
Vector Pipeline Limited	Gas Class 1	\$200 Million	Approved
Venturion Oil Limited	Transfer of Ownership Application under review		
Veresen Energy Pipeline Inc.	Gas Class 1	\$200 Million	Under review
Veresen NGL Pipeline Inc.	Gas Class 2	\$50 Million	Approved
Vermillion Energy Inc.	Exempt from requirements at this time		
Westcoast Energy Inc.	Gas Class 1	\$200 Million	Approved

Company	Class	Absolute Liability Limit (A.L.L.)	Status of Financial Resource Plan Filing
Westover Express Pipeline Ltd.	Oil Class 2	\$300 Million	Under review
Whitecap Resources Inc.	Oil Class 2	\$300 Million	Approved
Yoho Resources Inc./ SanLing Energy Ltd.	Exempt from requirements at this time		

Appendix J: Acronyms and Definitions

CER

Canada Energy Regulator

NEB

National Energy Board

Core Responsibility

An enduring function or role performed by a department. The intentions of the department with respect to a Core Responsibility are reflected in one or more related Departmental Results that the department seeks to contribute to or influence.

Departmental Results Framework

The Departmental Results Framework is a requirement of the 2016 Treasury Board Policy on Results, which supports a culture of measurement, evaluation and innovation in program and policy design and delivery. It is a key tool for tracking and communicating the department's results and financial information to parliamentarians and the public. It contains a clear and concise overview of what the organization does (core responsibilities), what it is trying to influence (departmental results) and how it will assess progress (departmental result indicators). For more information on the CER's Departmental Results Framework refer to the CER's website (www.cer-rec.gc.ca) and follow the file path: "About Us > Our People > Governance > Departmental Results Framework"

Governor In Council

A Governor in Council (GIC) appointment is one made by the Governor General, on the advice of the Queen's Privy Council of Canada (i.e., the Cabinet). The appointments are made through an Order in Council (OIC) and range from heads of agencies and chief executive officers of Crown corporations to members of quasi-judicial tribunals

Parliament

The Parliament of Canada is the federal legislature of Canada, seated at Parliament Hill in Ottawa, and is composed of three parts: the Monarch, the Senate, and the House of Commons

Quasi-Judicial Tribunal

The Commission of the CER is a quasi-judicial tribunal, meaning that it is an administrative tribunal with all the powers, rights, and privileges of a superior court of record with respect to matters within its jurisdiction. It is obliged to deal with applications and proceedings before it expeditiously and respecting the principles of procedural fairness and natural justice.

REGDOCS

REGDOCS is the collection of publically accessible documents that are filed onto the legal record for any CER hearings or other written regulatory proceedings.

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